Ernakulam: 11-29—27,004—25-11-26.

P W & L (1926) Department.

Jm SERIES.

G.O. No. 1238-W

DATED 10 9 26

[Despatch Abstract.]

Buildings - South Kanara - Puthur - District Munsiff's Courthouse - Vakils room - inclusion in Register of public buildings.

Received ... 192 Registered 26.8.26 192

Subject.

Enclosures.
No.
Spare copies

R.O.C. No. 2258/26.

Station Madras. Dated the 20th August 1926

From (Name) S. Wadsworth Esquire, I.C.S.,

(Designation) Registrar, High Court.

To The Secretary to the Government of Madras

LAW (GENERAL) Department.
(with enclosures)

Sir,

Buildings - District Munsif's Court, Puthur - Repairs to be effected to Vakil's room detached from the court-house.

I am to request that Government will be pleased to accord sanction for effecting certain improvements to the Vakils room attached to the District Munsif's Court at Puthur at a cost estimated at Rs.1600/-.

The High Court agrees with the District Judge, South Kanara that the members of the Bar ought to be permitted to use the room free of rent. The preliminary plan and approximate estimate for the work as also a copy of the District Judge's letter D.No.2659 dated 9th July 1926 with its enclosures are herewith forwarded.

I have the honour to be,
Sir,
Your most obedient servant,

S Wadsworth

Registrar.

MGB.

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at mangalore

Copy of letter from the District Judge, South Kanara, No.D.2650 dated 9th July 1926, to the Registrar, High Court, Madras.

....

There is a detached Vakils' room in the compound of the District Munsif's Court, Puttur which is now reported to be in a dilapidated condition. The Executive Engineer, West Coast Division, states in his letter (copy enclosed) that, unless the building is thoroughly repaired within six months, it should be demolished, as it is in a dangerous condition, and he estimates the cost of the repairs at Rs.1600/-. He also states that, as Government are not in favour of detached Vakils' rooms, they cannot undertake the repairs unless the Bar Association is willing to pay rent at Rs.15/- per mensem, but the latter is not willing to do so (Please see resolutions dated 3rd December 1925, 25th January 1926 and 20th April 1926 copies of which are enclosed. There is no record to show when or at whose expense the building was constructed, but as it is not borne on the registers of the Public Works Department, it may I think, be presumed that it was not erected at Government cost.

2. The present type design for the Sub Courts and the District Munsif's Courts makes provision for the Vakils' rooms in them, and as in some of the other Courts accommodation has been provided for the members of the Bar, it will be inequitable to deny that privilege to the members of the Bar in this Court alone. The District Munsif reports that the latter possess a law library which for want of accommodation has been located in the Court hall and that for the same reason the members of the Bar are compelled to wait during court hours either on the verandahs or in the Court hall.

3. In the Court 5 in which provision has been made for Vakils' rooms, no rent is charged though the cost is borne entirely by Government, and the fact that the existing building which was intended for the use of the Bar is detached from the main building ought not, I think, to make any difference. The initial cost of erecting the present building having been defrayed from funds other than those belonging to Government, it is not proper to levy rent merely because the cost of repairs would amount to Rs.1600/. It would have cost much more if provision had been made for a room exclusively for the use of the Bar at the time the Court was erected. The application of the Bar seems to me therefore to be reasonable. I request therefore that Government may be moved to sanction the

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repairs to the building estimated for by the Executive Engineer and to accord permission to the members of the Bar to use it free of rent.

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Copy of letter No.584/M/2.T.T. dated the 15th March 1926 from the Executive Engineer, West Coast Division, Calicut, to the District Judge, South Kanara.

....

Reference:- Your No.5894 dated 15--12--1925.

Subject:- Vakils' room to the District Munsif's Court Puttur.

....

I have the honour to inform you that the cost of improvements to the existing Vakils' room which is not borne in the register of Civil buildings as per plan and estimate herewith enclosed amounts to Rs.1,600/-.

2. The Government is not in favour of providing detached Vakils' rooms in District Munsif's and Sub Judge's Courts, vide G.O.No.2780-W dated 26-9-1904.

3. The present cost of the existing building is estimated to be Rs.600/- and the cost of improvements as per present estimate will raise the total cost to Rs.2,200.

4. The rent per mensem after effecting necessary improvements to the building would be Rs.15/-.

5. It is observed from your letter D.815 dated 13--2--26 the Vakils are not in favour of paying any rent.

6. If you still consider that a room for Vakils free of rent is necessary, I request you to move the Government in the matter to carry out the work at Government expense.

7. I learn from the Supervisor, P.W.D. that the condition of the existing building is dangerous and if it is not repaired within six months it should be demolished.

25/8

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From

The Secretary,
Pleaders' Association, Puttur.

To

The District Munsif, P u t t u r.

Subject:- Vakils' room to the District Munsif's Court, Puttur.

Reference:- Your endorsement on copy of letter No.584/2/T.T. dated 15th March 1926 from the Executive Engineer, West Coast Division to the District Judge.

....

S i r,

I cannot urge again too strongly the necessity for provision of a separate room for Vakils here. The financial condition of the Association is far from satisfactory and you are personally aware as to how our library is devoid of many prominent law books for every day reference the supply of which has to stand over for want of funds. In such state of affairs it is impossible for our Association either to undertake the repairs of the existing room ourselves or to pay any rent for it if it is improved at Government expense. It follows therefore that a room has to be provided at Government expense. In a former recommendation I have pointed out how in the type designs for Courts provision is made for a Bar library room. Here apparently our predecessors began with self-help and constructed a building at their own expense. We are unable to keep up that high ideal as we are hampered by lack of funds. The time has therefore arrived when Government should as elsewhere provide a Vakils' room in the Court premises. My Association fully trusts that its elementary rights of accommodation will be fully recognised by Government and a room provided early at Government expense.

I am,
Your most obedient servant,
Sd. H. Pundarik Bhat,
Secretary, Pleaders' Association.
20--4--1926.

/True Copy/

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Resolution dated 25th January 1926 of the Bar Association of Puttur.

....

In view of the fact that in Mangalore, Kasaragod, Kundapur Udipi and other places pleaders are provided with a room free of rent by Government and also in as much as the Government type design for sub Courts and District Munsif's Courts building makes due provision for a pleaders' room in the main building this Association again strongly urges that it may be treated in the same way as sister institutions elsewhere are and that the cost of the repairs should not be saddled on the Association as such a course is not supported by any precedent, justice or equity.

....

Resolution dated the 3rd December 1925 of the Bar Association of Puttur.

...

This Association brings once more to the notice of the authorities concerned, the longstanding need for the provision of a separate room in the court premises for the use of the members of the Bar as is done in Mangalore, Udipi and other places in this district. The one room building to the east of the court buildings is not owned by or under the control of this Association which hereby surrenders whatever claims it may be considered to have had over the building.

/True Copies./

Sd. K.S.Menon.

District Judge.

MGB.

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Law (General) Department.

Repairs to the Dt. Munsif's Court, Puthur.

C.No. 4156B From the Regr;High Court, R.O.C.No. 2258/26, dated the 20-8-26.

Secy.

The High Court requests that sanction may be accorded for effecting certain improvements to the Vakils' room attached to the Dt. Munsif's Court at Puthur at a cost estimated at Rs. 1600.

p. 1 cf

2. The room in question is detached from the Dt. Munsif's Court building; it would appear that it was ~~and appears to have been~~ constructed by the Bar Association. The Executive Engineer states that as Govt. are not in favour of detached Vakils' rooms, the repair cannot be undertaken unless the Bar Association is willing to pay rent. The Bar Association is however not willing to do this.

p. 2 cf

ved

The Dt. Judge, South Kanara states that the present type design for the Dt. Munsif's Courts makes provision for the Vakils' rooms in them and that as in these courts accomodation has generally been provided for members of the Bar, it will be inequitable to deny that privilege to the members of the Bar Association, Puthur. He also states that in the courts in which provision has been made for Vakils' room, no rent is charged though the cost is borne entirely by the Govt.

ibid

In the above circumstances, the Dt. Judge recommend and the High Court agrees with him that members of the Bar Association ought to be permitted to use the room free of cost. It is for the P.W.D. to arrive at a decision on this point. It is submitted that the ~~exhi-~~

pp. 2. 3 cf

p. 1 cf

'A'

~~mx~~ estimates may be approved in this Department and the P.W.D requested to issue the necessary orders, ~~xx~~ if they have no objection to accept the proposal at "A" on page 1 ante.

29.9.26

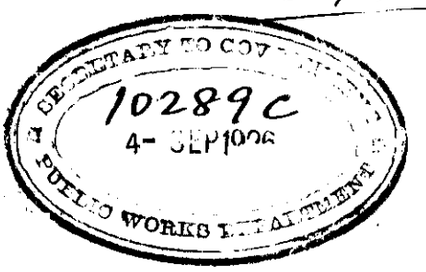
The proposal is recommended for acceptance in the circs explained by the D of Wks &c

V.Tk 3.9

Law (Genl) up 41, 56 By 3.9.26

P. W. D

D. W. & L. Deptt



WT

The an association of Rattan have surrendered their claims to the building in question and there seems no objection to bring it on the Register of Public buildings and carrying out the improvements. A draft order is submitted for approval

8/9/26. 9.9.26

9.9.26

10/9

Stat. 11-b (o)—25,000—25-11-25. (6)

	Date.	Initials.
When received for Fair-copying.		
When copied		
When examined		
When signed		
When despatched		

P.W.D. DEPARTMENT.

Buildings - Vakeels - S. Kanara Puttur - Dt. munsifs Courthouse vakeels room - inclusion in Register of public buildings

READ AGAIN G.O. No. ....., dated ..... 192 .

" " " " ..... " ..... 192 .

READ ALSO:—

C. No. 10289C From the Registrar High Court, No Roc 225/26 dated 20-8-1926.
20-8-26

" " ..... " " ..... " ..... " ..... 192 .

" " ..... " " ..... " ..... " ..... 192 .

ORDER.
Mis

No. 1238-W dated 10-9- 1926.

The Bar Association of Puttur S. Kanara Dist, having surrendered its claims to the building known as vakils' room, detached from the Dt. munsifs Courthouse but situated within its Compound, the Govt direct the inclusion of the building in the Register of Public buildings, West Coast Dn.

2. No rent will be charged to the vakils for the use of the room.

3. The plan and Estimate amounting to Rs. 1600 for improvements to the building

will be forwarded by the

High Court for disposal as under
in matters the powers of the Governor in Council
~~to powers of~~ Administrative

~~approval~~ approval to the work.

RZ KG
3/9/26 9/9/26

RS
9.9.26

SMM
10/9

To the CE (R+B)

.. Hon: the Chief Justice
with plans and estimate

~~Asst Law (Genl) Deptt~~

Law (Genl) Deptt.

A.G

14/9